

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s) : Michael P. WHITMAN, et al.  
Serial No. : 10/785,672  
Filed : February 23, 2004  
For : SURGICAL CUTTING AND STAPLING DEVICE  
Examiner : Weeks, Gloria  
Art Unit : 3721  
Confirmation No. : 2683

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office via the Office electronic filing system on **December 30, 2009**

Signature: /Loretta E. Charles/  
Loretta E. Chalres

**TRANSMITTAL AND**  
**REQUEST FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)**

Sir:

In response to the Final Office Action mailed September 11, 2009, transmitted herewith is a Request for Continued Examination and an Amendment for filing in the above-identified application.

Pursuant to 37 CFR 1.27, Applicants no longer qualify for Small Entity Status.

Applicants hereby request a one-month extension of time for responding to the Final Office Action of September 11, 2009. The extended period for response expires on January 11, 2010.

The one-month extension of time fee of **\$130.00** and the **\$810.00** RCE fee are being paid by credit card.

Applicants believe that no other fees due. However, if additional fees are due, the Director is authorized to charge any such fees and/or credit any overpayment to Kenyon & Kenyon LLP Deposit Account No. **11-0600**.

Respectfully submitted,

Date: December 30, 2009

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